

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Toby Lee Brown
2561 Buffalo Trail
Ramseur, NC 27316**

**Kimberly Dawn Brown
2561 Buffalo Trail
Ramseur, NC 27316**

SS# xxx-xx-8213

SS# xxx-xx-7106

Debtor(s)

Case No. _____

Chapter 13

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on December 16, 2011 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$1,225.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs

1. Attorney fees.

- ☒ The attorney for the Debtor will be paid the base fee of \$3,000.00. The Attorney has received **\$0.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
IRS	\$0.00
NC Dept of Revenue	\$0.00
Randolph County Tax Department	\$920.62

IV. Secured Claims**1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
BB&T	house and acreage residence Location: 2561 Buffalo Trail, Ramseur NC 27316	R	N	\$863.84	\$7,600.00	

2. Personal Property Secured Claimsa. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Ally Financial	2006 Chevrolet Colorado Crew truck	\$5,050.78	N	\$0.00	\$0.00	\$122.29	5.25%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 0 %.

VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: December 16, 2011

/s/ Julie H. Stubblefield

Julie H. Stubblefield

Attorney for the Debtor

Address: **117 Sunset Avenue
Asheboro, NC 27203**

Telephone: **336-629-2121**

State Bar No. **20151**

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MIDDLE DISTRICT OF NORTH CAROLINA

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Kimberly Dawn Brown)	
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SS#)	
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Debtor(s))	

**NOTICE TO CREDITORS
AND
PROPOSED PLAN**

Case No. _____

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402

Anita Jo Kinlaw Troxler
Chapter 13 Trustee
Greensboro Division
Post Office Box 1720
Greensboro, NC 27402-1720

Ally Financial
PO Box 380902
Minneapolis, MN 55438-0902

Asheboro Emergency Physicians
PO Box 2249
Pawleys Island, SC 29585-2249

BB&T
PO Box 580048
Charlotte, NC 28258

CB Collection Systems
127 W. Academy Street
Asheboro, NC 27204

CBE Group
1309 Technology Parkway
Cedar Falls, IA 50613

Federal Bond Collection Services
2200 Byberry Road, Suite 120
Hatboro, PA 19040

G.C. Services Collective Agency
PO Box 46960
Saint Louis, MO 63146

IRS
PO Box 7346
Philadelphia, PA 19101-7346

Midland Credit Management
Dept. 12421
PO Box 603
Oaks, PA 19456

Miracle Financial, Inc.
PO Box 505
Linden, MI 48451-0505

NC Dept of Revenue
PO Box 25000
Raleigh, NC 27640

Northland Group
PO Box 390846
Minneapolis, MN 55439

Precision Recovery Analytics
PO Box 1022
Wixom, MI 48393-1022

Randolph County Tax Department
725 McDowell Road
Asheboro, NC 27203

Randolph Hospital
PO Box 1048
Asheboro, NC 27204

Richard Boudreau & Associates
5 Industrial Way
Salem, NH 03079

Stern & Associates, Inc.
415 N. Edgeworth Street, Ste. 210
Greensboro, NC 27401-2182

Zenith Acquisitions Corp.
PO Box 850
Buffalo, NY 14226-0850

Date: December 16, 2011

/s/ Julie H. Stubblefield
Julie H. Stubblefield